

representatives of members of the IAB and their counsel, representatives of members of the SEQ, representatives of the Departments of Energy, Justice, and State, the Federal Trade Commission, the General Accounting Office, Committees of the Congress, the IEA, and the European Commission, and invitees of the IAB, the SEQ or the IEA.

Issued in Washington, DC., April 19, 1995.

**Eric J. Fygi,**

*Acting General Counsel.*

[FR Doc. 95-10165 Filed 4-24-95; 8:45 am]

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## Office of Fossil Energy

[FE Docket No. 95-17-NG]

### Brewton Corp; Order Granting Blanket Authorization to Import Natural Gas From Canada

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of order.

**SUMMARY:** The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting The Brewton Corporation authorization to import up to 20 Bcf of natural gas from Canada over a two-year term beginning on the date of the first import delivery.

This order is available for inspection and copying in the Office of Fuels Programs Docket Room, 3F-056, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, April 12, 1995.

**Clifford P. Tomaszewski,**

*Director, Office of Natural Gas, Office of Fuels Programs, Office of Fossil Energy.*

[FR Doc. 95-10164 Filed 4-24-95; 8:45 am]

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[FE Docket No. 95-20-NG]

### KCS Energy Marketing, Inc.; Order Granting Blanket Authorization to Import Natural Gas From Canada

**AGENCY:** Office of Fossil Energy, DOE.

**ACTION:** Notice of order.

**SUMMARY:** The Office of Fossil Energy of the Department of Energy gives notice that it has issued an order granting KCS Energy Marketing, Inc. authorization to import up to 50 Bcf of natural gas from Canada over a two-year term beginning on the date of the first delivery after April 10, 1995.

This order is available for inspection and copying in the Office of Fuels

Programs Docket Room, 3F-056, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-9478. The docket room is open between the hours of 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, April 12, 1995.

**Clifford P. Tomaszewski,**

*Director, Office of Natural Gas, Office of Fuels Programs, Office of Fossil Energy.*

[FR Doc. 95-10163 Filed 4-24-95; 8:45 am]

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## Office of Hearings and Appeals

### Notice of Issuance of Decisions and Orders During the Week of February 27 Through March 3, 1995

During the week of February 27 through March 3, 1995, the decisions and orders summarized below were issued with respect to applications for exception or other relief filed with the Office of Hearings and Appeals of the Department of Energy. The following summary also contains a list of submissions that were dismissed by the Office of Hearings and Appeals.

#### Appeals

*Cowles Publishing Company, 2/28/95, VFA-0010*

Cowles Publishing Company (Cowles) filed an Appeal from a denial by the DOE's Richland Operations Office (Richland) of a request for information submitted under the Freedom of Information Act (FOIA). Cowles sought three legal memoranda written in 1963 by an attorney employed by General Electric d/b/a Hanford Atomic Products Operation (GE/Hanford). The three memoranda concerned GE's potential liability for "Voluntary and Planned" human radiation experiments. GE/Hanford was the management and operations contractor at DOE's Hanford, Washington facility from the 1940s until the mid 1960s when Battelle Memorial Institute (Battelle) assumed GE/Hanford's research and development functions. The three withheld records had been transferred to Battelle during the transition period between the two contractors. The memoranda were withheld by Richland because they were not "agency records" and, even if "agency records", were protected by the attorney-client privilege component of FOIA Exemption 5. On appeal, the DOE found that the memoranda are neither "agency records" within the meaning of the FOIA, nor subject to the FOIA under a new DOE contractor records regulation at 10 CFR 1004.3(e), 59 FR 63,884 (December 12, 1994). Although the DOE

found that it owns the documents under the DOE/GE contract and the DOE/Battelle contract, it concluded that the documents are protected by the attorney-client communications privilege and the attorney work product privilege. The DOE also found that because the DOE, GE and Battelle share a "common legal interest" in the documents and because the requirements for finding waiver were not met, the documents have maintained their privileged status. Accordingly, the DOE denied Cowles' FOIA Appeal.

*Kenneth W. Warden, 3/1/95, VFA-0023*

Kenneth W. Warden filed an Appeal from a partial denial by the DOE's Oak Ridge Operation's Office of a Request for Information that he had submitted under the Freedom of Information Act (FOIA). Two documents had been withheld pursuant to Exemption 6. In considering the Appeal, the DOE found that the public's interest in disclosure of the documents was slight in comparison with the privacy interest of the individuals mentioned in the documents. Accordingly, the Appeal was denied.

#### Request for Exception

*Commonwealth Oil Refining Company, Inc., 2/27/95, LEE-0002*

Commonwealth Oil Refining Company, Inc. filed an Application for Exception in which the firm requested relief based on the delay in its receipt of exception relief pursuant to a 1978 exception application. In considering the request, the DOE found that Corco's claim did not form the basis for an independent grant of exception relief. The DOE further found that modification of the original grant of relief was unwarranted on the grounds, inter alia, that the delays in the case were largely the result of Corco's litigation strategy, that the receipt of relief in 1978 would not have permitted the survival of Corco's refinery and petrochemical operations, and that Corco was actually better off as the result of its receipt of relief in 1989 and 1994. Accordingly, exception relief was denied.

#### Refund Applications

*County of Los Angeles CAO/Purchasing and Stores Department, et al., 3/3/95, RF272-29545, et al.*

The DOE issued a Decision and Order concerning seven Applications for Refund filed by various departments of the County of Los Angeles in the crude oil special refund proceeding being conducted by the DOE under 10 CFR part 205, subpart V. The DOE rejected

comments filed by a group of Utilities, Transporters, and Manufacturers, finding that the arguments presented were without merit. The DOE then determined, after adjustment for overlapping volume claims, that the

corrected claims were meritorious and granted a refund of \$64,302.

#### Refund Applications

The Office of Hearings and Appeals issued the following Decisions and

Orders concerning refund applications, which are not summarized. Copies of the full texts of the Decisions and Orders are available in the Public Reference Room of the Office of Hearings and Appeals.

Air Molokai, Ltd. ....	RC272-283	03/03/95
Baltimore Storage Company .....	RA272-68	03/03/95
City of Burnsville et al .....	RF272-97501	03/03/95
Continental Grain Company .....	RC272-282	03/03/95
Continental Grain Company .....	RC272-281	03/03/95
Frontier Airlines .....	RC272-280	03/03/95
G & J Freight, Inc .....	RA272-66	03/03/95
Gulf Oil Corporation/Southeastern Freight Lines Inc et al .....	RF300-21305	02/27/95
Hamilton Hybar Inc .....	RF272-92579	03/01/95
Adhesives & Chemicals, Inc .....	RF272-92776	
Hudson River & Conf. Ctr. ....	RA272-67	03/03/95
Lambert Oil Co., Inc. ....	RR272-180	02/27/95
Moran Coal Co., Inc .....	RF272-91542	03/01/95
Red Top Coach, Inc .....	RF272-91665	
Container Corp. of America .....	RF272-98199	
Mort Hall Ford, Inc .....	RC272-284	03/03/95
Rhea County Dept. of Education et al .....	RF272-86753	03/03/95
Roundy's, Inc .....	RF272-97218	03/03/95
Superior Water, Light and Power Company .....	RF272-96593	02/27/95
Texaco Inc./Doug's Texaco .....	RF321-21059	03/03/95
Texaco Inc./Valley Seeding Co., Inc. et al .....	RF321-12851	02/27/95
Texaco Inc./Wiesenthal's Texaco Service et al .....	RF321-20522	03/03/95
Town of North Hempstead et al .....	RF272-96544	02/27/95
Wilkinson County et al .....	RF272-86105	03/03/95

#### Dismissals

The following submissions were dismissed:

Name	Case No.
A.J. Cole & Sons, Inc .....	RF315-9584
Albuquerque Operations Office .....	VSO-0017
Albuquerque Operations Office .....	VSO-0004
Chicago West Pullman & Southern Railroad .....	RF321-19762
Doan's Texaco .....	RF321-20519
Food Services, Inc .....	RF272-93662
Givens Texaco .....	RF321-6740
Hill Aircraft & Leasing Corp .....	RF351-00030
Kevork Texaco .....	RF321-9622
Stofa's Texaco .....	RF321-7238
W. & J. Propane Gas, Inc .....	RF304-14999

Copies of the full text of these decisions and orders are available in the Public Reference Room of the Office of Hearings and Appeals, Room 1E-234, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, Monday through Friday, between the hours of 1 p.m. and 5 p.m., except federal holidays. They are also available in Energy Management: Federal Energy Guidelines, a commercially published loose leaf reporter system.

**George B. Breznay,**

*Director, Office of Hearings and Appeals.*

[FR Doc. 95-10158 Filed 4-24-95; 8:45 am]

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#### Notice of Issuance of Proposed Decision and Order During the Week of April 3 Through April 7, 1995

During the week of April 3 through April 7, 1995, the proposed decision and order summarized below was issued by the Office of Hearings and Appeals of the Department of Energy with regard to an application for exception.

Under the procedural regulations that apply to exception proceedings (10 CFR part 205, subpart D), any person who will be aggrieved by the issuance of a proposed decision and order in final form may file a written notice of objection within ten days of service. For purposes of the procedural regulations, the date of service of notice is deemed to be the date of publication of this Notice or the date an aggrieved person

receives actual notice, whichever occurs first.

The procedural regulations provide that an aggrieved party who fails to file a Notice of Objection within the time period specified in the regulations will be deemed to consent to the issuance of the proposed decision and order in final form. An aggrieved party who wishes to contest a determination made in a proposed decision and order must also file a detailed statement of objections within 30 days of the date of service of the proposed decision and order. In the statement of objections, the aggrieved party must specify each issue of fact or law that it intends to contest in any further proceeding involving the exception matter.

Copies of the full text of this proposed decision and order are available in the Public Reference Room of the Office of